

AMENDED IN SENATE JULY 5, 2001

AMENDED IN SENATE JUNE 14, 2001

AMENDED IN ASSEMBLY APRIL 23, 2001

AMENDED IN ASSEMBLY APRIL 4, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1245

Introduced by Assembly Member Alquist
(Coauthor: Assembly Member Shelley)

February 23, 2001

An act to add Section 87482.9 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1245, as amended, Alquist. Community colleges: temporary ~~employees~~ *and part-time faculty*.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges, and authorizes the provision of instruction by community college districts throughout the state. Existing law requires that a person employed to teach adult or community college classes for not more than 60% of the hours per week of a full-time employee having comparable duties, excluding substitute service, be classified as a temporary employee and not become a contract employee.

This bill would require the issue of earning and retaining annual reappointment rights by any person employed as a temporary employee, ~~and any part-time faculty member whose teaching~~

~~assignment exceeds 20% of the equivalent of a minimum full-time teaching assignment, and who has received satisfactory job performance reviews or part-time faculty to be a mandatory subject of negotiation with respect to all the collective bargaining process relating to any new or successor contract between community college districts and their employees temporary or part-time faculty occurring on or after January 1, 2002. These rights, if negotiated and agreed to, would be based on the order of employment date, as defined, and subject to specified prior rights of regular and contract employees.~~

~~The bill would specify that it does not preclude the implementation of any agreement entered into under a specified act relating to labor relations in public education, and that, to the extent an agreement conflicts with the bill, the agreement would prevail.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 87482.9 is added to the Education Code,
 2 to read:
 3 87482.9. ~~(a) This section applies specifically~~ *This section*
 4 *applies only to temporary faculty as described in and part-time*
 5 *faculty within the meaning of Section 87482.5. The issue of*
 6 *earning and retaining of annual reappointment rights pursuant to*
 7 ~~subdivision (b)~~ *shall be a mandatory subject of negotiation with*
 8 ~~respect to all collective bargaining~~ *the collective bargaining*
 9 *process relating to any new or successor contract between*
 10 *community college districts and their employees temporary or*
 11 *part-time faculty occurring on or after January 1, 2002.*
 12 ~~(b) Notwithstanding Section 87482 or any other provision of~~
 13 ~~law:~~
 14 ~~(1) Any person employed as a temporary employee pursuant to~~
 15 ~~Section 87482.5, and any part-time faculty member whose~~
 16 ~~teaching assignment exceeds 20 percent of the equivalent of a~~
 17 ~~minimum full-time teaching assignment, and who has received~~
 18 ~~satisfactory job performance reviews, may earn and retain annual~~
 19 ~~reappointment rights, as negotiated pursuant to subdivision (a),~~
 20 ~~based on the order of employment date.~~

1 ~~(2) The right to earn and retain annual reappointment rights~~
2 ~~negotiated and agreed to pursuant to subdivision (a) is subject to~~
3 ~~both of the following:~~

4 ~~(A) The prior right of regular and contract employees subjected~~
5 ~~to a reduction in force pursuant to Section 87743.~~

6 ~~(B) The prior right of regular and contract employees of the~~
7 ~~community college district established in this code or in an~~
8 ~~agreement entered into pursuant to Chapter 10.7 (commencing~~
9 ~~with Section 3540) of Division 4 of Title 1 of the Government~~
10 ~~Code.~~

11 ~~(c) This section does not preclude the implementation of any~~
12 ~~agreement entered into pursuant to Chapter 10.7 (commencing~~
13 ~~with Section 3540) of Division 4 of Title 1 of the Government~~
14 ~~Code that is in effect on January 1, 2001. To the extent that an~~
15 ~~agreement conflicts with this section, the agreement shall prevail.~~

